

FILED

OCT 07 2010

Clerk, U. S. District Court  
Eastern District of Tennessee  
At Knoxville

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION

DEBBORAH S. JAMES

Plaintiff,

vs.

SUN LIFE ASSURANCE COMPANY  
OF CANADA (U.S.), AND  
PROFESSIONAL INSURANCE COMPANY

Defendants.

Case No. 3:10-CV-432

Jordan Guyton

**NOTICE OF REMOVAL**

Defendants Sun Life Assurance Company of Canada (U.S.) and Professional Insurance Company hereby remove this action from the Circuit Court of Loudon County, Tennessee, to the United States District Court for the Eastern District of Tennessee, Northern Division, pursuant to 28 U.S.C. §§ 1441 and 1446. In support of removal, defendants state:

1. On September 9, 2010, plaintiff filed a complaint in the Circuit Court of Loudon County, Tennessee, styled *Deborah S. James v. Sun Life Assurance Company of Canada (U.S.), and Professional Insurance Company*, case number 2010-CV-150.

2. This notice is filed within thirty days of defendants' receipt of the complaint as required by 28 U.S.C. § 1446(b).

3. A copy of the complaint is attached hereto as Exhibit 1. No other pleadings, process, or orders other than the complaint have been served on defendants and therefore no other pleadings, process, or orders are attached to this notice as required by 28 U.S.C. § 1446(a).

4. The complaint is one that properly could have been filed in this Court under 28

U.S.C. § 1332. The action involves citizens of different states. Plaintiff prays for past and future benefits under a disability insurance policy, treble damages, a statutory 25% penalty, and attorneys' fees. While defendants deny that plaintiff is entitled to any damages, the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

5. All fees required by law in connection with this notice have been paid by defendants.


6. Defendants will serve on counsel for plaintiff a true and correct copy of this notice of removal. *See* 28 U.S.C. § 1446(d).

7. Defendants will file with the Circuit Court of Loudon County, Tennessee, a true and correct copy of this notice of removal. *See id.*

WHEREFORE, Sun Life Assurance Company of Canada (U.S.) and Professional Insurance Company hereby remove this action to this Court for further proceedings according to law.

Respectfully submitted,

QUATTLEBAUM, GROOMS  
TULL & BURROW PLLC  
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By:   
Brandon B. Cate (No. 021854)

*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was served on counsel listed below *via* U.S. Mail this 6<sup>th</sup> day of October, 2010.

D. Seth Holliday, Esq.  
ERIC BUCHANAN & ASSOCIATES, PLLC  
414 McCallie Avenue  
Chattanooga, Tennessee 37402

A handwritten signature in black ink, appearing to read 'BB Cate', written over a horizontal line.

Brandon B. Cate